

**REMARKS**

Claims 1-23 are all the claims pending in the application.

**Claim Rejection – 35 U.S.C. § 102(b)**

Claims 1-3, 5, 7, 9, 11-12 and 21-23 stand rejected under § 102(b) as being anticipated by Gilliland. Applicant traverses this rejection as follows.

Gilliland relates to a cartridge for an electrostatographic reproducing machine that contains the photoreceptor necessary for reproducing images. (col. 1, lines 1-20). Additionally, the cartridge also serves as an apparatus for billing the customer for the number of prints or copies made using the machine. (*Id.* at lines 23-31). Additionally, the cartridge may be used to prevent the customer from obtaining excess prints (in excess of a predetermined number) by disabling the cartridge. (*Id.* at lines 32-39).

Claim 1 recites, *inter alia*, an apparatus comprising a recording medium and a cartridge memory inside a cartridge, wherein the control information memorized in said cartridge memory is compared with the control information recorded in said recording medium.

The Examiner contends that Gilliland discloses this feature citing column 6, lines 62-68 and column 7, lines 1-8. However, Applicant submits this portion of Gilliland merely discloses that each cartridge of a plurality of cartridges 12, 14 and 16 (*see* FIG. 4) only contain an EEPROM 90. Assuming, *arguendo*, this EEPROM 90 corresponds to the recited cartridge memory inside a cartridge, Gilliland would still fails to disclose any recording medium inside the cartridge which records the control information.

Additionally, the Examiner appears to correlate the recording medium with a storage component in the machine, not the cartridge EEPROM 90. Specifically, the Examiner cites column 2, lines 63-68 as disclosing the feature of comparing the control information memorized in a cartridge memory with the control information recorded in said recording medium. However, this portion of Gilliland indicates a cartridge identification number in the memory of a cartridge housing is compared with a cartridge recognition number in the machine. Consequently, Gilliland fails to disclose both a recording medium and a cartridge memory in a cartridge.

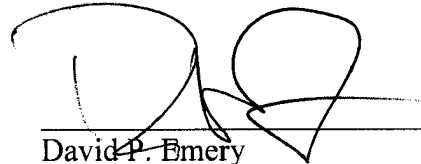
Thus, Applicant submits claim 1 is patentable distinguishable over Gilliland for at least this reason. Additionally, Applicant submits claims 2-3, 5, 7, 9, 11-12 and 21-23 are allowable, at least by virtue of their dependency.

### **Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David P. Emery", written over a horizontal line.

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